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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Livingston T. Merchant

DATE: June 4, 1959

FROM : Martin J. Hillenbrand *hm*SUBJECT: Possible GDR Declaration that Sector-Sector Boundary
in Berlin is now a "State Frontier"

In practical terms this is not really a new problem. The new element would be possible use of the argument that closure of the sector-sector boundary was based upon the fact that it was now a "state frontier". In the past, particularly in the period during the 1948-1949 blockade and for some years thereafter, the sector-sector boundaries were partially and, for brief periods, almost entirely sealed off. On such occasions the Western Commandants would protest against violations of the unity of the city and the free movement of traffic between East and West Berlin, but no further action was taken (except in a few instances imposition of reprisals in West Berlin).

As far as contingency planning is concerned, this would presumably involve two general types of problems:

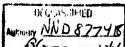
(a) How the utilities, communications and transportation systems of West Berlin can be maintained considering the normal integration of these facilities within the city which prevails, and

(b) What action might be taken to dramatize the closure of the sector-sector boundary.

As to (a), extensive planning has already been done on this score in connection with contingency planning for partial or total blockade, and West Berlin could largely adapt itself to closure of the sector-sector boundary. As to (b), it would seem that the kind of action we might wish to take would be largely dependent upon whether closure of the sector-sector boundary was accompanied by other actions affecting general access to Berlin from the West or whether it happened in isolation. Perhaps it might be useful in this connection to have a legal study made as to whether resort to the ICJ or UN would be likely to result in a favorable recommendation or decision. However, it seems likely

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that, in a practical sense, West Berlin would simply have to adapt to the situation, taking such limited reprisals as are available to it. The probability is that a declaration of the sector-sector boundary as a "state frontier" would not result in complete closure, but merely in tightening of controls at the crossing points.

cc: Ambassador Thompson
Mr. Reinhardt
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